

BOARD OF REGISTERED DIETITIANS



PUBLIC **MINUTES of December 20, 2017**

The December 20, 2017 meeting of the Board of Registered Dietitians convened at 10:07 a.m. with the following members present:

Jeanne Brown – Board Chair
Heather S. McMahon
Rebecca L. Dunn
Dena Shields

Absent: Excused: Carole A. Palmer

The Board voted to approve the minutes of October 18, 2017 on a motion from Jeanne Brown and seconded by Rebecca Dunn.

QUALIFICATION AND LICENSURE

1. Applications for licensure

The following application for licensure were approved on a motion by Jeanne Brown and seconded by Heather McMahon:

- Sarah Allen
- Patricia Enneper
- Jill McKenney
- April Jackson
- Heather Nims
- Tara Seymour
- Maureen Devlin
- Rebecca Zinkowski

2. Renewal Application

The following application for licensure were approved on a motion by Jeanne Brown and seconded by Heather McMahon:

- Janette Langlais

3. Reinstatement

The following application for licensure were approved on a motion by Jeanne Brown and seconded by Heather McMahon:

- Caitlin Croteau
- Kathleen Searles
- Ashley Brigham

ADMINISTRATIVE

1. Renewal Deadline Cover Letter

Board approved on a motion by Jeanne Brown and seconded by Heather McMahon to add an additional cover letter to the renewal application and license approval letter that outlines and addresses the need for all licensees to submit timely renewal paperwork to avoid concerns with facilities and insurance providers when license expirations come due.

2. Meeting Date for 2018

Board established meeting dates from 1:00 p.m. to 4:00 pm. in 2018 as follows:

- February 9, 2018
- April 13, 2018
- May 18, 2018
- June 22, 2018

3. Renewals

Board to further discuss the 2018 process and possible rule changes to renewal protocol at during meeting on February 9, 2018.

4. FTP Server

Tabled until February meeting.

QUESTIONS

The board reviewed a question from Belinda Lazzaro concerning whether Dietitians have order writing privileges in hospitals or LTC facilities. After review the board has issued out the following response.

On Monday, February 4, 2013, the Centers for Medicare & Medicaid Services (CMS) announced a proposed rule change that would, among other things, "Save hospitals significant resources by permitting registered dietitians to order patient diets independently, which they are trained to do, without requiring the supervision or approval of a physician or other practitioner. This frees up time for physicians and other practitioners to care for patients." This exciting development is designed to help health care providers operate more efficiently by getting rid of regulations that are out of date or no longer needed. It will apply only to registered dietitians (RDs) privileged by the hospital in which they work, and the change will not take effect until the rule is finalized later in 2013. Licensed Dietitians may write diet orders if it is within their scope of practice. The Academy of nutrition and dietetics has a decision-making tool to determine if it is within the scope of practice of a particular dietitian. The facility where he or she works may limit the scope of practice.*

The proposed rule, officially published in the Federal Register on Thursday, February 7, 2013, also specifically clarifies that RDs may be included on the medical staff, as they "have equally important roles to play on a medical staff and on the quality of medical care provided to patients in the hospital." According to CMS, "Our intent in revising the provision was to provide the flexibility that hospitals need under federal law to maximize their medical staff opportunities for all practitioners, but within the regulatory boundaries of their State licensing and scope-of-practice laws. We believe that the greater flexibility for hospitals and medical staffs to enlist the services of non-physician practitioners to carry out the patient care duties for which they are trained and licensed will allow them to meet the needs of their patients most efficiently and effectively." For RD reference, the relevant portions of the proposed rule are on pages 9216, 9221-9224, 9233-9235, and 9244. Under the proposed rule, qualified dietitians will be explicitly permitted to become privileged by the hospital staff to a) order patient diets, b) order lab tests to monitor the effectiveness of dietary plans and orders, and c) make subsequent modifications to those diets based on the lab tests, if in accordance with state laws including scope of practice laws. CMS made this change because it "believe[s] that RDs are the professionals who are best qualified to assess a patient's nutritional status and to design and implement a nutritional treatment plan in consultation with the patient's interdisciplinary care team."

ADJOURN: on motion by Jeanne Brown and seconded by Dena Shields, the motion to adjourn at 11:40 A.M. carried in the affirmative.

Minutes respectfully submitted by Jennifer Hackett, Board Administrator.

Jeanne Brown., Chair

at meeting

Note the Board of Licensed Dietitians did not conduct a nonpublic session on December 20, 2017.

12/20/17

Motion to commence non-public session:

Upon the motion of _____, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and noting that such a non-public session is authorized by RSA 91-A: 3, II (c), RSA 91-A: 3, II (e), RSA 91-A: 5, IV, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

NON-PUBLIC SESSION:

[Minutes kept separately]

Motion to keep minutes of non-public session confidential:

Upon the motion of _____, the Board voted to withhold and seal the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A: 3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.